

The request is GRANTED. Plaintiffs shall file their opposition to Defendant's motion by September 23, 2024. Defendant shall file its reply by October 15, 2024.

**HARRIS BEACH** PLC  
ATTORNEYS AT LAW

August 20, 2024

Dated: August 21, 2024  
New York, New York


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**SO ORDERED.**

**Via ECF**

Hon. Jennifer L. Rochon  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1920  
New York, NY 10007

  
**JENNIFER L. ROCHON**  
**United States District Judge**

RE: *Ross Cooperman M.D. and Ross Cooperman, M.D. LLC v. Empire HealthChoice HMO, Inc. and Empire HealthChoice Assurance, Inc.*, 1:24-cv-00866  
Letter Motion for Extension of Briefing Schedule

Dear Judge Rochon:

We represent the Plaintiffs in this action. We submit this letter motion to request an extension of the deadline for Plaintiffs to file opposition to Defendant's motion to dismiss from August 28, 2024 to September 23, 2024. Plaintiff has conferred with counsel for Defendant who consents to this application. This is the first request for an extension of this deadline by either party.

Defendant filed a motion to dismiss on August 14, 2024 (Dkt 27). Since the filing, the parties have been engaged in settlement discussions to hopefully resolve the case. Plaintiffs' counsel needs additional time to confer with the individual Plaintiffs to put forth a meaningful response. We respectfully request the additional time so that the parties can focus their efforts on a potential resolution. This extension will not prejudice either party or affect any other scheduled dates.

If Your Honor is amenable to this request, Plaintiffs respectfully request that the following briefing schedule be entered:

Deadline for Plaintiffs to file opposition to Defendant's motion: September 23, 2024

Deadline for Defendant to file reply: October 15, 2024

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Thank you for your consideration of the instant application.

Very truly yours,

HARRIS BEACH PLLC

/s/ Daniel S. Hallak  
Daniel S. Hallak

DSH:ab